THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.3037 OF 1999

DATED:16.2.2006

Between:

Boyapati Prakash Reddy

…Petitioner

And

The Land Acquisition Officer

And Revenue Divisional Officer

Narasaraopet, Guntur Dt. and others

…Respondents

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WRIT PETITION NO.3037 OF 1999

ORDER:

The petitioner claims to be the owner of the land, which was acquired under Notification dt.25.5.1998 under Section 4(1) of the Land Acquisition Act, 1894 (for short, the Act). The petitioner alleges that after publication of declaration under Section 6 of the Act and after receiving notice under Sections 9(3) and 10 of the Act, he filed objections on 15.10.1998 claiming Rs.150/- per Sq.yard and also 80% advance compensation. He was addressed a letter dt.18.11.1998 by the first respondent to receive a sum of Rs.79,185/- towards 80% compensation, which the petitioner received under protest. It is further alleged that in spite of several requests, no award was passed and therefore petitioner seeks a Writ of Mandamus directing the respondents to complete the land acquisition proceedings.

In the counter affidavit filed by the first respondent it is stated that on 19.11.1998 advance possession was taken by paying 80% of the compensation and subsequently award was passed on 20.1.2000, and entire amount was paid to the petitioner. These averments in the counter affidavit remain un-rebutted and no reply affidavit is filed. In view of the counter averments, which are not denied, nothing survives in the Writ Petition as compensation has already been paid.

The Writ Petition is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

16.2.2006

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